

## **REMARKS**

Claims 17-27 and 33-44 are pending in this application. Claims 34, 36, 38, 40, 42 and 44 are objected to as dependent upon a rejected base claims but indicated as allowable if rewritten in independent form. Claims 17-27, 33, 35, 37, 39, 41 and 43 stand rejected.

Claims 17-18 stand rejected under 35 USC 102(e) as anticipated by Kiyomi, Japanese Kokai 2002-098945. (The undersigned respectfully assumes that this rejection was intended to be made under 35 USC 102(a) since sub-section 102(e) is manifestly inapplicable to a Japanese Patent Application.) This rejection is traversed. More specifically, this rejection is traversed on the grounds that Kiyomi does not disclose *any* structure in which an electro-optic medium is sandwiched between two adhesive layers, as required by present claims 17 and 18. (For convenience, paragraphs in the Kiyomi application will be denoted by "K[00XX]").

The Office Action states that, with regard to claim 17, Kiyomi discloses, in Figure 1, an article of manufacture comprising a layer of a solid electro-optic medium (5) having first and second surfaces on opposed sides thereof (section 0036). With respect, integer 5 in Kiyomi's Figure 1 is not an electro-optic medium, much less a solid electro-optic medium.

There is some confusion in the text of Kiyomi regarding the nature of the integer 5. K[0033] refers to "the 2nd glue line 5", whereas K[0036], line 1 and K[0039], line 3, both refer to "the PET film 5". The latter appears to be correct. However, regardless of the exact nature of integer 5 in Kiyomi's Figure 1, this integer cannot be an electro-optic medium, since it is abundantly clear from Kiyomi, considered as a whole, that no electro-optic medium is present in the structure illustrated in Kiyomi's Figure 1.

K[0002]-K[0004] describe the prior art relating to the type of liquid crystal display which Kiyomi seeks to improve. As stated in these introductory paragraphs, and as illustrated in Figures 8 and 9 of Kiyomi, this type of LCD has a liquid crystal panel 10 in which a liquid crystal is disposed between substrates 21 and 22

(K[0003], first four lines). Backlighting is provided by LED's 12 arranged on one edge of a "light guide plate" 11, perhaps better described as a light diffuser (K[0003], last two sentences). To hold the liquid crystal panel 10 fixed relative to the light guide plate 11, pieces of double-sided adhesive tape 105 are provided in the four corners of the display (K[0004], first sentence). Furthermore, in order to prevent leakage of light directly from the LED's 12 to the liquid crystal panel 10 (which would produce a highly objectionable brightly-illuminated strip along one edge of the LCD), a "protection-from-light" (light-blocking) tape 104 is provided overlying the LED's 12 (K[0004], second sentence and Figure 9). However, Kiyomi continues, aligning the tape pieces 105 and the light-blocking tape 104 is difficult and causes difficulty in mass production (K[0006]).

Kiyomi's solution to this problem is to provide a "protection-from-light" (light-blocking) sheet 1, illustrated in Figures 1 and 2, this sheet 1 *replacing the tape pieces 105 and the light-blocking tape 104 shown in the prior art display of Figures 8 and 9*. As shown in Kiyomi's Figure 3, and as described at K[0034], lines 7-10, the various layers designated 101 in Figure 1 are interposed between a liquid crystal panel 10 on the one hand, and a combination of LED's 12 and a diffusing panel 11 on the other hand, all of these integers being essentially identical to the corresponding integers in Kiyomi's Figure 8. Since the electro-optic function of the display is provided by the liquid crystal present in the panel 10, it would make absolutely no sense for an electro-optic material to be included in light-blocking sheet 1, and there is no suggestion in Kiyomi that sheet 1 does include an electro-optic material. Furthermore, the cross-section in Kiyomi's Figure 2 shows that all the layers of sheet 1, other than the layer 2 (which is a release sheet removed prior to incorporation of the layers 101 into the final display - see Kiyomi's Figure 6(b)), have essentially the form of hollow rectangular frames, and it would make no sense to provide electro-optic material in such a form.

The 35 USC 103(a) rejection of claims 19, 22-26, 33, 35, 37, 39, 41 and 43 as unpatentable over Kiyomi in view of Kazlas et al., U.S. Patent Application Publication No. 2002/0106847 is traversed. More specifically, this rejection is traversed

on the same grounds as the earlier 35 USC 102 rejection of claims 17 and 18 over Kiyomi alone, as already discussed above. For purposes of the present Response, applicants do not dispute the Examiner's summaries of the disclosure in Kazlas. However, there is nothing in Kazlas to overcome the deficiencies in Kiyomi already discussed. Furthermore, to whatever extent the relevant features of Kazlas were to be incorporated into the Kiyomi display, they would logically be incorporated into the liquid crystal panel 10, not into the light-blocking sheet 1.

Finally, the 35 USC 103(a) rejection of claims 20, 21 and 27 as unpatentable over Kiyomi is traversed on the same grounds as the earlier 35 USC 102 rejection of claims 17 and 18 over Kiyomi alone, as already discussed above.

For all the foregoing reasons, the 35 USC 102 and 103 rejections in the Office Action are unjustified and should be withdrawn.

Reconsideration and allowance of all claims in this application is respectfully requested.

Since the prescribed period for responding to the Office Action expired February 28, a Petition for a one month extension of this period is filed herewith.

Respectfully submitted  
/David J. Cole/  
David J. Cole  
Registration No. 29629

E INK Corporation  
733 Concord Avenue  
Cambridge MA 02138

Telephone (617) 499-6069  
Fax (617) 499-6200  
E-mail dcole@eink.com